

**TRANSPORT AND WORKS ACT 1992**

**TRANSPORT AND WORKS (INQUIRIES  
PROCEDURE) RULES 2004**

**THE NETWORK RAIL  
(SUFFOLK  
LEVEL CROSSING REDUCTION)  
ORDER**

---

**JOHN PREST**

**REBUTTAL  
PROOF OF EVIDENCE**

**-FOR-**

**S23 HIGHAM**

Document Reference	NR/31/4/1
--------------------	-----------

**I have reviewed Proofs of Evidence submitted on behalf of Suffolk County Council in support of their objection to the proposals in respect of S23 Higham. I have the following comments on the evidence as presented:**

1. In his Proof of Evidence (OBJ/29/W/S23), Mr Woodin refers to there being no legal order for closing this crossing and to Network Rail unlawfully obstructing public rights of way at the crossing (paragraphs 9 – 13).
2. I have reviewed Network Rail's records and it would appear that the last Temporary Traffic Regulatory Order (TTRO) in respect of this crossing that was accepted by Suffolk County Council expired on 28/12/16. Michael Doughty (former Network Rail Route Level Crossing Manager West Anglia) did then re-apply for an extension initially to continue until 28/06/17 but it does not appear that this request was ever processed by the Council. No application was made after 28/6/17 as I was not aware this crossing was temporarily closed without a valid/up to date TTRO being in place (I took over from Michael Doughty as the Route LCM West Anglia in March 2017). I am grateful to Mr Woodin for bringing this to my attention. Measures are being put in place to rectify this situation and to ensure that this type of error does not happen again going forward.
3. The crossing itself does need to remain closed as substantial embankment work to achieve the required sighting distances, and full stile to stile renewal including adding a deck would be required here before Network Rail would consider that the crossing would be safe to reopen. Costs estimates for providing new steps were made in 2016 of around £17,000 (these costs do not include a new deck), but no estimate of costs was made at the end of 2016 for the embankment works as the funding that was believed to be in place was not secured or provided. The estimated costs of works of this type can be anything from £10,000 if relatively straight forward to £100,000 plus (which is the more likely scenario at this crossing) depending on what is required.
4. If this crossing were to be re-opened without the embankment works above being undertaken and without new crossing decking being put in place then it is likely that the only option that could be considered to mitigate risk at this crossing would be a Temporary Speed Restriction to slow down approaching trains so a user could achieve the required sighting distances in normal weather conditions.

**Witness declaration**

I hereby declare as follows:

- (i) This proof of evidence includes all facts which I regard as being relevant to the opinions that I have expressed and that the Inquiry's attention has been drawn to any matter which would affect the validity of that opinion.
- (ii) I believe the facts that I have stated in this proof of evidence are true and that the opinions expressed are correct.
- (iii) I understand my duty to the Inquiry to help it with matters within my expertise and I have complied with that duty.